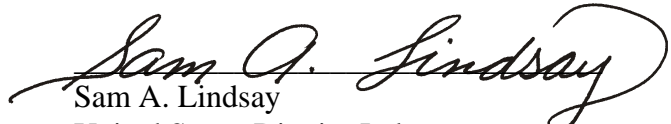


the parties sufficient time to file objections to the Report. In this case, however, Petitioner has voluntarily requested dismissal of his petition, and there is no reason to conclude that he would oppose or object to the magistrate judge's recommendation to grant his request.

After reviewing the petition, filings, Report, and record, the court agrees with the magistrate judge. The court accordingly determines that the magistrate judge's findings and conclusions are correct. They are **accepted** as those of the court. The court **dismisses without prejudice** the "Motion to Correct Sentence," which the court treats as a habeas corpus petition, pursuant to Petitioner's request and Rule 41(a) of the Federal Rules of Civil Procedure.

It is so ordered this 28th day of January, 2011.


Sam A. Lindsay
United States District Judge